

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

THOMAS PAUL LANDERS,
PLAINTIFF

v.

Case No. 1:16-CV-1153-SS

BRENT STROMAN, MANUEL
CHAVEZ, ABELINO REYNA and
JOHN DOE,
DEFENDANTS

JOINT MOTION FOR AGREED STAY OF PROCEEDINGS

Introduction

1. Defendants Brent Stroman, Abelino Reyna, and Manuel Chavez (hereinafter “Defendants”) filed their Joint Motion to Stay the Proceedings on December 5, 2016¹. Plaintiff Thomas Paul Landers (hereinafter “Plaintiff”) moved the Court for an Extension of Time to Respond on December 19, 2016². Upon review of other similar plaintiffs’ cases pending in this Court, Plaintiff agrees to join Defendants’ Motion for Stay of Proceedings, and the parties file this their Joint Motion for Agreed Stay of Proceedings. In support thereof they would show the Court as follows:

¹ Doc. 6 & 8.

Background

2. Plaintiff filed this §1983 Civil Rights lawsuit on October 18, 2016.³ Plaintiff is one of many indicted in McLennan County, Texas for the offense of Engaging in Organized Criminal Activity with the Intent to Commit or Conspire to Commit Murder, Capital Murder, or Aggravated Assault, who have sued Defendants in the Austin Division, alleging Constitutional rights violations related to their arrests. *See Civil Action No. 1:15-CV-01040-SS, Bucy v. Stroman, et al; Civil Action No. 1:15-CV-01041-SS, Clendennen v. Stroman, et al; Civil Action No. 1:15-CV-01042-SS, Bergman v. Stroman, et al; Civil Action No. 1:15-CV_01043-SS, Adame v. Stroman, et al; Civil Action No. 1:15-CV-01044-SS, Salinas v. Stroman, et al; Civil Action No. 1:15-CV-01045-SS, Vensel v. Stroman, et al; Civil Action No. 1:16-CV-0575-SS, Obledo v. Stroman, et al; Civil Action No. 1:16-CV-01154-SS, Redding v. Stroman, et al.*
3. By its ruling in *Bucy v. Stroman, et al*, Civil Action No. A-15-CA-1040-SS [Order Granting Stay, Doc. 41], this Court has indicated its position on the cases involving indicted Plaintiffs.
4. Consistent with the Court's ruling in *Bucy*, the parties jointly seek a stay of this case for so long as the companion criminal indictment is pending in McLennan County, Texas. In conjunction with this Stay, the parties request that any Motions to Dismiss⁴ be held in abeyance for the period of the Stay.
5. If there is a change in circumstances during this Stay that a party believes justifies lifting of

² Doc. 10.

³ Doc. 1.

⁴ Doc. 7 & 9.

the Stay, the party may file a motion to lift the Stay, explaining the change of circumstances and why such justify lifting the Stay.

Respectfully Submitted,
PLAINTIFF

By:

/s/ Millie L. Thompson

Millie L. Thompson

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Respectfully Submitted,
Defendant Reyna

/s/ Stephen D. Henninger

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ATTORNEYS FOR DEFENDANT

ABELINO REYNA

Notice of Electronic Filing

I, Millie Thompson, do hereby certify that on this the 20th day of December 2016, I have electronically submitted for filing, a true and correct copy of the above document in accordance with the Electronic Case Files System of the Western District of Texas.

/s/ Millie L. Thompson
Millie Thompson, Plaintiff's Attorney

Certificate of Service

I, Millie Thompson, do hereby certify that on this the 20th day of December 2016, a true and correct copy of this Joint Motion to Stay the Proceedings was served on all parties of record via email.

/s/ Millie L. Thompson
Millie Thompson, Plaintiff's Attorney